

Message Text

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DRAFTED BY EUR/CAN:GJMONROE:JKB

APPROVED BY EB - JKATZ

EB/BP - MR. WINTER

L/EB - MR. BENSON

EUR - RDVINE

EUR/CAN - JHROUSE

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E.O. 11652: GDS

TAGS: ECSM, ENRG, PGOV, US, CA

SUBJECT: US/CANADIAN URANIUM ANTI-TRUST TALKS

1. CANADIAN MINISTER COUNSELOR SMITH CALLED ON ASSISTANT SECRETARY KATZ TO EXPLORE IF THERE HAD BEEN "ANY EVOLUTION IN US THINKING" SINCE THE DECEMBER 5 MEETING ON URANIUM ANTI-TRUST QUESTION AND OUR VIEWS REGARDING A FEBRUARY 23 FOLLOW-ON MEETING. SMITH SAID THAT THE CANADIANS HAD IN MIND AN A.M. MEETING OF BOTH DELEGATIONS CHAIRED BY KATZ AND MCPHAIL COVERING THE BROAD NATIONAL INTERESTS INVOLVED AND ADDRESSING THE GOC CONCERN THAT THE URANIUM QUESTION NOT BECOME AN IRRITANT AFFECTING BROADER US-CANADIAN RELATIONS, PARTICULARLY IN THE ENERGY FIELD.

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2. THE POLICY-LEVEL MEETING WOULD THEN BE FOLLOWED BY A P.M. MEETING OF LAWYERS FOR THE PURPOSE OF DISCUSSING THE DETAILS OF THE LEGAL POINTS MADE BY THE US DELEGATION AT THE DECEMBER 5 MEETING, INCLUDING AN ELABORATION OF THE "QUESTIONNAIRE" WE HANDED THE CANADIANS TO DETERMINE WHETHER THE GOC COULD RESPOND. SMITH SAID THE CANADIANS FAVORED CONSIDERING THE FEBRUARY 23 MEETING AS "VERY MUCH OFF THE RECORD" CONTRASTED TO THE DECEMBER CONSULTATION WHICH THE CANADIANS VIEWED AS A MORE FORMAL EXCHANGE.

3. KATZ SAID THE US SIDE HAD EXPECTED THAT THE CANADIANS WOULD HAVE RESPONDED SOONER TO OUR DETAILED PRESENTATION IN DECEMBER. THE US HAD MADE CLEAR AT THE DECEMBER 5 MEETING THAT WE FULLY APPRECIATED THE SERIOUSNESS OF THE GOC'S VIEWS ON URANIUM AND THAT WE WERE SENSITIVE TO CANADIAN CONCERNS. WE ALSO UNDERScoreD AT THAT MEETING AND ON PREVIOUS OCCASIONS THAT THE US GOVERNMENT WAS NOT CALLING INTO QUESTION GOC POLICY. AGAINST THAT BACKGROUND, WE HAD SOME DIFFICULTY IN UNDERSTANDING WHAT THE GOC HAD IN MIND FOR THE FEBRUARY 23 POLICY LEVEL DISCUSSIONS.

4. SMITH RESPONDED THAT THE GOC WAS SEEKING MORE EXPLICIT US RECOGNITION OF CANADIAN NATIONAL INTERESTS AND ASSURANCES THAT THESE INTERESTS WOULD BE TAKEN INTO ACCOUNT IN USG ENFORCEMENT DECISIONS. KATZ COMMENTED THAT WE WERE AT THE INVESTIGATORY STAGE STILL AND THAT NOTHING WE HAVE HEARD FROM THE CANADIANS SUGGESTED THAT THE INVESTIGATION SHOULD NOT PROCEED. IN ANY EVENT, KATZ SAID THAT WE WOULD BE WILLING TO MEET WITH MCPHAIL ON 23 FEB. SMITH ADDED THAT IF THINGS WENT WELL AT THAT MEETING THE CANADIANS WOULD CONSIDER ANOTHER CONSULTATION ON OR ABOUT MARCH 6.

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5. COMMENT AND ACTION REQUESTED: WE REMAIN SKEPTICAL AS TO THE UTILITY OF ANOTHER POLICY LEVEL MEETING. FROM OUR PERSPECTIVE, MEETING COULD ONLY SERVE AS A REPETITION OF POINTS WE HAVE ALREADY MADE IN DETAIL TO THE CANADIANS ON DECEMBER 5 AND AT OTHER MEETINGS WITH CANADIAN OFFICIALS. WE WOULD THEREFORE APPRECIATE RECEIVING SOONEST ANY INFORMATION THE EMBASSY CAN DEVELOP REGARDING CANADIAN MOTIVATIONS FOR PROPOSING FEB 23 POLICY-LEVEL EXCHANGE. WE WOULD ALSO BE INTERESTED IN ANY ELABORATION ON CONTINUING VEILED CANADIAN REFERENCES TO POSSIBILITY OF URANIUM PROBLEM IMPACTING ON "BROADER US/CANADIAN ENERGY RELATIONS." VANCE

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